

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

INTERNATIONAL BUSINESS MACHINES  
CORPORATION,

Plaintiff,

v.

JEFF S. SMITH,

Defendant.

17 Civ. 5808(CS)(PED)

**DECLARATION OF PIETRO J. SIGNORACCI IN SUPPORT OF  
INTERNATIONAL BUSINESS MACHINES CORPORATION'S MOTION TO  
QUASH THE SUBPOENA SERVED ON VIRGINIA M. ROMETTY AND FOR A  
PROTECTIVE ORDER PRECLUDING HER TESTIMONY**

Pietro J. Signoracci declares, under penalty of perjury, pursuant to 28  
U.S.C. § 1746, as follows:

1. I am admitted to practice before this Court and am associated with the law firm of Paul, Weiss, Rifkind, Wharton & Garrison LLP, attorneys for Plaintiff International Business Machines Corporation ("IBM") in this action. As such, I am personally familiar with the facts set forth herein. I respectfully submit this declaration in support of IBM's Motion to Quash the Subpoena served on Virginia M. Rometty and for a Protective Order precluding her testimony.

2. Attached as **Exhibit 1** is a true and correct copy of an email dated August 17, 2017, from Max Garfield, Esq., to me, and its attachment.

3. Attached as **Exhibit 2** is a true and correct copy of a letter dated August 14, 2017, from Robert A. Atkins, Esq., to the Honorable Paul E. Davison.

4. Attached as **Exhibit 3** is a true and correct copy of an email dated August 10, 2017, from Sarah E. Bouchard, Esq., to me.

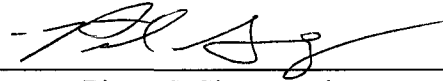
5. **Exhibit 4** was withdrawn at the time of filing.

6. Attached as **Exhibit 5** is a true and correct copy of a letter dated August 10, 2017, from Ronald E. Richman, Esq., to Robert A. Atkins, Esq.

7. Attached as **Exhibit 6** is a true and correct copy of a letter dated August 14, 2017, from Ronald E. Richman, Esq., to the Honorable Paul E. Davison.

8. Attached as **Exhibit 7** is a true and correct copy of a Third Party Motion to Quash the Subpoena Served on Andrew Jassy, dated August 7, 2017.

I declare under penalty of perjury that the foregoing is true and correct.

A handwritten signature in black ink, appearing to read "P. Signoracci", is written over a horizontal line.

Pietro J. Signoracci

Executed on August 18, 2017  
New York, New York